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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,711	01/09/2002	Deeb Daoud	22868.62	7396

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NEW YORK, NY 10022-7650

EXAMINER

GHATT, DAVE A

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 07/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/043,711

Applicant(s)

DAOUD, DEEB

Examiner

Dave A Ghatt

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-8 and 10 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang (US 5,307,267). As illustrated in Figures 1-3 and 6, and as outlined in columns 3 and 4, Yang teaches the claimed invention. Yang teaches a keyboard comprising a plurality of touch areas (keys), with each of the touch areas representing a symbol from a plurality of symbols. The touch areas are arranged in at least one of a plurality of groups. For example in Figure 6, each row or column illustrated by Yang, may be considered at least one of a plurality of groups. Yang also teaches touch areas (keys), wherein each of the groups includes touch areas that are arranged in a distinctive shape that incorporates one or more of the symbols or part of symbols. For example, each row or column of Yang's Figure 6 represents distinct shapes. Column 3 lines 13-23 teaches the functional requirement for a user to enter a symbol by touching a part of the distinctive shape that is recognized with the symbol.

With respect to claim 2, as outlined above, and as illustrated in Figures 1-4 and 6, Yang teaches touch areas that are keys.

With respect to claims 3-7, as illustrated in Figures 1-3 and 6, and as illustrated in the Tables within the text in columns 4, 7, 8, 9, 10, 11, 14, 15, 16, 19, and 20, Yang teaches symbols

that are Latin letters, Hebrew letters, Arabic letters, Cyrillic letters, and Greek letters. The applicant should note that although Yang does not specifically mention Latin, Hebrew, and Cyrillic letters, the symbols illustrated (in Figures 1-3 and 6, and as illustrated in the Tables within the text in columns 4, 7, 8, 9, 10, 11, 14, 15, 16, 19, and 20) are Latin, Hebrew, and Cyrillic letters. For example, in Figure 6, the "Capslock" key includes Cyrillic letter 'р' and the "Home" key includes the Latin letter '|'. Figure 6 also includes the Hebrew letter 'ך'. (See also, column 8 lines 34-68.)

With respect to claim 8, as illustrated in Figure 4, the keys or touch areas constitute flat plates.

With respect to claim 10, in column 16 lines 37-44 teaches the keyboard for use in a pocket-size computer, electronic recording card, game machine, and telephone apparatus.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US 5,307,267) in view of Fischer (US 4,310,753). As outlined in the above rejection to claims 1-8 and 10, Yang teaches all the claimed subject matter, except for flat plates provided with a groove to receive a pointer. As illustrated in Figures 2-10, Fischer teaches flat plates with grooves as recited. To one of ordinary skill in the art, at the time of the invention it would have been

obvious to include the grooves of Fischer, in the plates of Yang to ensure accurate placement of fingernails and other pointed operating instruments when operating the keyboard, as taught by Fischer in column 1 line 56 to column 2 line 22.

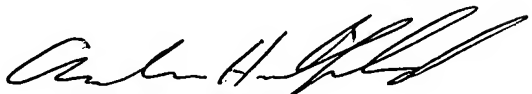
***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A Ghatt whose telephone number is (703) 308-2417. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H Hirshfeld can be reached on (703) 305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-3431.

DAG  
July 18, 2003

  
ANDREW H. HIRSHFELD  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800